

BOND OF STREET OBSTRUCTION AND/OR EXCAVATION, WITH CORPORATE SURETY

Know all men by these presents:

That _____
of the City of _____, in the County of _____
and the State of _____, (as principal), and _____
_____ a corporation organized under
the laws of the State of _____, and holding a certificate of
the Insurance Commissioner of the State of Minnesota, showing that it is authorized to contract as a
surety (as surety) are held and firmly bound, jointly and severally, unto the City of Duluth, in the State of
Minnesota, in the sum of _____,
good and lawful money of the United States, to be paid to the said City of Duluth, for which payment in
full, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, successors
or assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this _____ day of _____, 20____.

WHEREAS, Sec. 45-15 through Sec. 45-26 of the Legislative Code of the City of Duluth,
declares among other things, that it is unlawful for any person whatsoever to make any excavation for
any purpose in the streets, avenues, alleys, highways, and public grounds or to place any obstruction
therein, or to place or cause to be placed any scaffold, obstruction, equipment or materials of any kind in,
upon or above any of the public sidewalks, or immediately adjacent thereto, whether or not said
application be for a permit authorizing an excavation as a necessary incident to the connection of a
private sewer, water or gas service with any of the sewer, water and gas mains owned by the City of
Duluth, without first applying for and obtaining a permit so to do from the City Engineer under the terms
and conditions as set forth in those said sections; and

WHEREAS, as a condition to the allowance and issuance of a permit, the applicant therefor, or
his duly authorized agent or contractor, as the case may be, must file with the City Engineer a corporate
surety bond of an insurance company duly authorized by the laws of the State of Minnesota to transact
business as a surety, in the sum of at least Ten Thousand (\$10,000) Dollars. Permittee shall provide, in
addition thereto, a certificate from an insurance company duly authorized by the laws of the State of
Minnesota to transact business as an insurance company, certifying that the applicant has in force with
such company a comprehensive general liability policy, including completed operations, products
liability, explosions, collapse, and underground property liability coverage to cover his operations under
such permit in the amount of One Million Five Hundred Thousand (\$1,500,000) Dollars for bodily injury
occurring in any year and Five Hundred Thousand (\$500,000) Dollars for property damage in any year,
and also, that such bond and certificate of insurance have been approved as to form, correctness and
validity by the City Attorney and shall contain a condition that they may not be cancelled without thirty
(30) days written notice to the City of Duluth, and certificate of insurance shall list the City of Duluth as
additional insured; and

WHEREAS, the above bounden principal is desirous of obtaining a permit under the aforesaid sections;

NOW, THEREFORE, the condition of this obligation is such that if a permit is allowed and issued to or on behalf of the above bounden principal, and if such principal shall restore the street, avenue, alley, highway, sidewalk or other public ground to the condition it was prior to the making of such excavation or obstruction, and that any work done under any permit, including the installation of any sewer, gas or water connections, is done in accordance with all applicable ordinances and rules and regulations of the City of Duluth, and also indemnifies and saves the City harmless from any and all claims, demands, damages or causes of action of any kind whatsoever arising or to arise out of the doing of the work or the thing authorized by such permit, then this obligation to be void; otherwise, it shall remain in full force and effect.

Signed, Sealed and Delivered

In the Presence of:

(As to Principal)

(As to Surety)

Approved as to form, correctness and validity this

_____ day of _____, 20_____

Principal

By: _____

President

Attest: _____

Secretary

Surety

By: _____

Attest: _____

STATE OF MINNESOTA)
) ss.
County of St. Louis)

(1) (This paragraph to be used only for INDIVIDUAL PRINCIPAL.)

On this _____ day of _____, 20____, before me
personally appeared _____, to me known to be the
person described in the above Bond, and acknowledged that he executed the same as his free act and
deed.

(NOTARIAL SEAL)

Notary Public _____ County, State of _____

My commission expires _____

STATE OF MINNESOTA)
) ss.
County of St. Louis)

(2) (This paragraph to be used only for CO-PARTNERS.)

On this _____ day of _____, 20____, before me
personally appeared _____

_____,
to me known to be the persons described in the above Bond, and that each acknowledged that he
executed the same as his free act and deed and as the free act and deed of partnership named in said
Bond.

(NOTARIAL SEAL)

Notary Public _____ County, State of _____

My commission expires _____

STATE OF MINNESOTA)
) ss.
County of St. Louis)

(3) (This paragraph to be used only for CORPORATE PRINCIPAL.)

On this _____ day of _____, 20____, before me
personally appeared _____, who, being by me first duly
sworn, did say that he is the _____ Secretary of the corporation named as PRINCIPAL in the
above Bond; that the seal affixed of said corporate principal is the seal of said corporation; and that said
Bond was executed in behalf of said corporate principal by authority of its Board of Directors, and said
officer acknowledged said Bond to be the free act and deed of said corporate principal.

(NOTARIAL SEAL)

Notary Public _____ County, State of _____

My commission expires _____

STATE OF MINNESOTA)
) ss.
County of St. Louis)

(FOR CORPORATE SURETY)

On this _____ day of _____, 20____, before me
personally appeared _____, to me, personally known,
who being sworn, did say that he is the Attorney-in-fact for the corporation which executed the above
Bond as SURETY; that the seal affixed to said Bond as the seal of said corporate surety is the seal of said
corporation, and that said Bond was executed in behalf of said corporate surety by authority of its Board
of Directors; that said corporate surety holds a certificate of the Insurance Commissioner of the State of
Minnesota, showing that it is authorized to contract as a surety, and the Attorney-in-fact above named
acknowledged said Bond to be the free act and deed of said corporate surety.

(NOTARIAL SEAL)

Notary Public _____ County, State of _____

My commission expires _____